

Customer No. 22,852  
Attorney Docket No. 09812.0078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Phase of )  
PCT/JP2005/010939 )  
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 )  
Inventors: Makoto YAMADA et al. )  
 )  
 )  
Application No.: Not Yet Assigned )  
 )  
 )  
Filed: May 5, 2006 )  
 )

For: **RECORDING APPARATUS  
AND METHOD, PLAYBACK  
APPARATUS AND METHOD,  
RECORDING MEDIUM, AND  
PROGRAM (AS AMENDED)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. JP 2002-158965 - The relevance of this document is discussed at page 6 of the specification of the present application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

2. JP 2001-189915 - U.S. Patent Application Publication No. 2001/0005434 and U.S. Patent Application Publication No. 2005/0002655 are family members of this document.

3. JP 2001-160947

4. JP 2003-168283

An English-language abstract of the documents is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

101578347  
IAP12 Rec'd PCT/PTO 05 MAY 2006  
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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 5, 2006  
By:   
David W. Hill  
Reg. No. 28,220

Enclosures  
DWH/FPD/alp